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HDP/SB/21 based on PTO/SB/21 (08-00)

JFW

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/780,756
Filing Date	February 19, 2004
Inventor(s)	Jin Yong KIM et al.
Group Art Unit	2434
Examiner Name	David Yiuk Jung
Attorney Docket Number	1740-000003/US

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Resubmitted Amendment (originally submitted January 26, 2009) <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Letter to the Official Draftsperson and _____ Sheets of Formal Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> LETTER SUBMITTING APPEAL BRIEF AND APPEAL BRIEF (w/clean version of pending claims)  <input type="checkbox"/> Appeal Communication to Group (Notice of Appeal, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  <b>Response to Notice of Non-Compliant Amendment</b>
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Harness, Dickey & Pierce, P.L.C.	Attorney Name	Terry L. Clark	Reg. No.	32,644
Signature					
Date	February 10, 2009				



PATENT  
Docket No. 1740-000003/US

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant:	Jin Yong KIM et al.	Conf.:	2072
Appl. No.:	10/780,756	Group:	2434
Filed:	February 19, 2004	Examiner:	David Yiuk Jung
For:	Recording Medium, Apparatus for Forming the Recording Medium, and Apparatus and Method for Reproducing the Recording Medium		

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**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

February 10, 2009

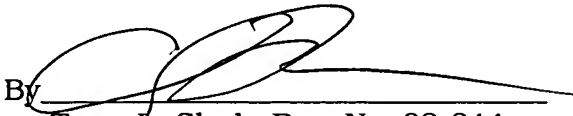
Sir:

In reply to the Notice of Non-Compliance mailed February 3, 2009, Applicants attach hereto a corrected Amendment Under 37 C.F.R. 1.114 including the text of withdrawn claims 11-34 originally filed on January 26, 2009 (concurrently with a Request for Continued Examination) as requested by the Examiner.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By   
Terry L. Clark, Reg. No. 32,644

TLC/PXL:eaf

P.O. Box 8910  
Reston, VA 20195  
(703) 668-8000



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jin Yong KIM et al. Confirmation No.: 2072  
Application No.: 10/780,756 Examiner: David Yiuk Jung  
Filing Date: February 19, 2004 Group Art Unit: 2434  
Title: Recording Medium, Apparatus for Forming the Recording Medium, and Apparatus and Method for Reproducing the Recording Medium  
Attorney Docket: 1740-000003/US

Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314  
**Mail Stop RCE**

Date: January 26, 2009

**AMENDMENT UNDER 37 C.F.R. 1.114**

Sir:

In response to the final Office Action mailed November 25, 2008, the following amendments and remarks are respectfully submitted in connection with the above-identified application concurrently with a Request for Continued Examination.

**Amendments to the Claims** begin on page 2 of this Amendment.

**Remarks** begin on page 10 of this Amendment.

	Claims remaining after Amendment		Highest number previously paid for		Present extra
<b>Total</b>	34	-	34	=	0
<b>Independent</b>	5	-	5	=	0